

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

BILLY JOHN ROBERSON,)	
)	
Petitioner,)	
)	CIVIL ACTION NO.
VS.)	
)	3:22-CV-2631-G-BT
MICHAEL GADREY, ET AL.,)	
)	
Respondents.)	

ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

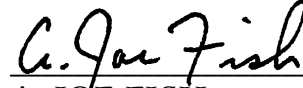
The court has taken under consideration the Findings, Conclusions, and Recommendation of United States Magistrate Judge Rebecca Rutherford dated December 29, 2022. The court has reviewed the Findings, Conclusions, and Recommendation for plain error and has found none. **IT IS, THEREFORE, ORDERED** that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are accepted.

Considering the record in this case, the court **DENIES** a certificate of appealability. The court adopts and incorporates by reference the Magistrate Judge's Findings, Conclusions and Recommendation filed in this case in support of its finding that the petitioner has failed to show (1) that reasonable jurists would find this court's "assessment of the constitutional claims debatable or wrong[.]" or (2) that reasonable jurists would find "it debatable whether the petitioner states a valid claim

correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

SO ORDERED.

March 2, 2023.

A handwritten signature in cursive script, reading "A. Joe Fish".

A. JOE FISH

Senior United States District Judge